



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
2531 JEFFERSON DAVIS HWY
ARLINGTON VA 22242-5160

IN REPLY REFER TO


4330
Ser 028/255
8 AUG 96

MEMORANDUM FOR THE COMMANDER, NAVAL SURFACE WARFARE CENTER
COMMANDER, NAVAL UNDERSEA WARFARE CENTER

Subj: IMPLEMENTATION OF THE DOD LABORATORY REVITALIZATION
DEMONSTRATION PROGRAM

Encl: (1) ASN(RD&A) memo dtd 1 Jul 96

1. Pursuant to the authority granted in enclosure (1), the Commanders of the Naval Surface Warfare Center and the Naval Undersea Warfare Center are hereby delegated authority to fund unspecified military construction projects up to \$1,000,000 with funds available for operations and maintenance. Approved projects must be in direct support of research, development, test and evaluation. Reporting requirements are contained in enclosure (1).


G. R. STERNER
Commander

Copy to:
NAVSURFWARCENDIV Crane
NAVSURFWARCENDIV Indian Head
NAVSURFWARCENDIV Carderock
NAVSURFWARCENDIV Dahlgren
NAVSURFWARCENDIV Port Hueneme
NAVUNDSEAWARCENDIV Newport
NAVUNDSEAWARCENDIV Keyport

Subj: IMPLEMENTATION OF THE DOD LABORATORY REVITALIZATION
DEMONSTRATION PROGRAM

Blind Copy to:

SEA 0281

SEA 0282

SEA 0283



THE ASSISTANT SECRETARY OF THE NAVY
Research Development and Acquisition
1000 Navy Pentagon
Washington DC 20350-1000

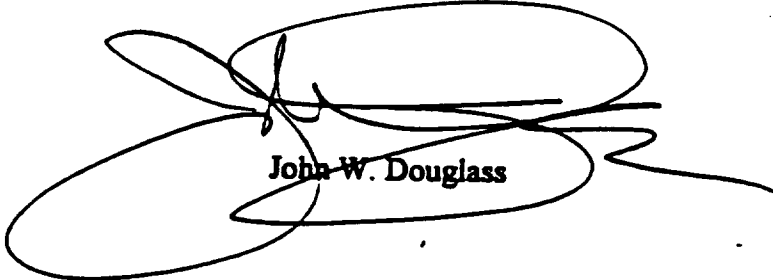
JUL 01 1996

MEMORANDUM FOR THE COMMANDER,
NAVAL AIR SYSTEMS COMMAND
SPACE & NAVAL WARFARE SYSTEMS COMMAND
NAVAL SEA SYSTEMS COMMAND

Subject: IMPLEMENTATION OF THE DOD LABORATORY REVITALIZATION
DEMONSTRATION PROGRAM

You are hereby authorized to approve and fund minor construction projects up to \$1,000,000 with funds available for operations and maintenance when those projects are in direct support of research, development, test and evaluation at your laboratories listed in the attachment. Consistent with the recommendations of Mr. Kaminski and Mr. Pirie present in the attachment, you are authorized to redelegate authority to approve these projects to the Commanding Officer of each Warfare Center. Also, following the existing proposal procedures, you are authorized to propose unspecified minor military construction projects up to \$3,000,000 at the Warfare Centers.

You are to submit the interim and final reports to ASN (RD&A) for your reports as specified in the attachment.


John W. Douglass

Attachment:
ASN (I&E) memo of 3 May 96

Copy to:
DDR&E (Laboratory Management)
ASN (I&E)
ASN (FM&C)
CNO (N44)
CNO (N091)
Commander, Naval Facilities Engineering Command
Commander, Naval Air Warfare Center
Commander, Naval Surface Warfare Center
Commander, Naval Undersea Warfare Center
Commander, Naval Command, Control and Ocean Surveillance Center



DEPARTMENT OF THE NAVY
THE ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

MAY - 3 1996

MEMORANDUM FOR THE CHIEF OF NAVAL OPERATIONS (N4)


Subj: MINOR CONSTRUCTION AUTHORITIES IN CONJUNCTION WITH DOD
LABORATORY REVITALIZATION DEMONSTRATION PROGRAM

Attachment 1 reviewed the increased minor construction thresholds authorized by Section 2892 of the FY96 DoD Authorization Act and delegated authority to implement the DoD Laboratory Revitalization Demonstration Program to the Services.

Acting under the responsibilities assigned in SECNAVINST 5430, authority is hereby redelegated to implement the new authority described in attachment 1. Further redelegation of the authority to approve and fund minor construction projects up to \$1,000,000 with funds available for operations and maintenance to the activities listed in attachment 1 is encouraged. Minor construction projects developed under this authority with an estimated cost between \$500,000 and \$3,000,000 which are funded from the Military Construction appropriation shall still be reviewed and approved by ASN (I&E). Since all other Navy activities not included within this demonstration program are still required to seek ASN (I&E) approval for minor construction projects exceeding \$500,000, and no additional resources have been provided, it is necessary to apply the same approval authority to ensure a consistent standard is applied in assessing Military Construction requirements.

Consistent with the responsibility assigned by SECNAVINST 11010.5F, the Chief of Naval Operations shall establish or revise procedures for project submissions, reviews, and approvals to implement this increased authority.

This redelegation carries with it the responsibility for submitting the interim and final reports outlined in the attachment. As the reports will include executed and planned military construction projects, the Chief of Naval Operations is requested to take the lead in their preparation and submission. Please ensure ASN (I&E) and ASN (RD&A) are provided copies of the reports. Our point of contact is CAPT Herb Schwind at 695-3354.


ROBERT B. PIRIE, JR.

Attachment:

1. USD (A&T) memo of 18 Mar 96

Copy to:

ASN (RD&A)

ASN (FM&C)

CNO (N44)

CNO (N091)

Chief of Naval Research

Commander, Naval Sea Systems Command

Commander, Naval Air Systems Command

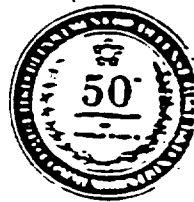
Commander, Space & Naval Warfare Systems Command

Commander, Naval Facilities Engineering Command



ACQUISITION AND
TECHNOLOGY

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-3010



MAR 18 1996

MEMORANDUM FOR THE SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE

Subject: Implementation of the DoD Laboratory Revitalization Demonstration Program

Section 2892 of the FY96 DoD Authorization Bill authorizes the establishment of the DoD Laboratory Revitalization Demonstration Program. The intent of this test program is to allow the heads of selected defense laboratories greater flexibility in undertaking facility modernization initiatives by increasing the maximum dollar threshold applicable to minor construction projects. The authority to implement this test program is hereby delegated to the Services.

The legislation raises the threshold for minor military construction to \$3,000,000 and the reporting threshold to \$1,500,000 for the laboratories included in the program. The legislation further allows the Services to fund unspecified military construction projects at the laboratories included in the program up to \$1,000,000 from appropriations available for operations and maintenance activities. Facilities and structures constructed under this authority should be in direct support of research, development, test and evaluation at the designated laboratories. The Services are encouraged to redelegate the authority to approve these projects to the heads of the DoD laboratories.

Attached is a plan of action which provides additional guidance and designates specific DoD laboratories authorized to participate in this test program. This test program expires September 30, 1998, so expeditious implementation is necessary. The legislation requires reporting of projects undertaken with this authority. The Services are requested to submit an interim and final report of activities to DDR&E in accordance with the attached plan.

We have an opportunity to illustrate that increased flexibility will provide advantages to DoD laboratories in modernizing antiquated facilities, thereby enabling more rapid response to technological challenges. I encourage your support to achieve the goals of this program.

Should you have any questions, please contact Mark Paulson at (703) 697-9215.

Paul G. Kaminski

Paul G. Kaminski

Attachment:



PLAN OF ACTION FOR THE IMPLEMENTATION OF THE DEPARTMENT OF DEFENSE LABORATORY REVITALIZATION DEMONSTRATION PROGRAM

1. Background. Section 2892 of the FY96 DoD Authorization Act (attachment 1), establishes a test program to allow heads of selected defense laboratories greater flexibility to undertake facility modernization initiatives. It effectively amends Section 2805, Title 10, United States Code, entitled Unspecified Minor Construction (attachment 2), to raise the authority of the DoD laboratories to carry out minor military construction projects. The following authorities are applicable:

- (A) Minor military construction projects up to \$3,000,000 will not require specific Congressional authorization.
- (B) Projects greater than \$1,500,000 must receive approval of the Secretary concerned and require notification of Congress prior to execution.
- (C) Unspecified military construction projects up to \$1,000,000 may be funded from appropriations available for operations and maintenance activities.

2. Authorized Laboratories. The definition of laboratories eligible to participate in this program is contained in the attached public law. The following laboratories are hereby authorized by DDR&E to participate in this test program because they have been officially designated as S&T Reinvention Laboratories.

(A) Army:

- Army Research Laboratory
- - Missile Research and Development Center
- Medical Research and Development Command
- Engineer Waterways Experiment Station
- Army Soldier Systems Command
- Aviation Research, Development and Engineering Center
- Edgewood Research, Development and Engineering Center
- Communications-Electronics Research, Development and Engineering Center
- Armaments Research, Development and Engineering Center
- Tank Automotive Research, Development and Engineering Center
- Simulation, Training and Instrumentation Command
- Construction Engineering Research Laboratory
- Cold Regions Research and Engineering Laboratory
- Topographic Engineering Center
- Army Research Institute
- Army Research Office

authorized under subsection (a) unless the Town agrees the system in its existing condition at the time of the conveyance.

(2) The Secretary shall complete any environmental removal or remediation required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) with respect to the system to be conveyed under this section before carrying out the conveyance.

(c) **CONDITIONS ON CONVEYANCE.**—The conveyance authorized in subsection (a) shall be subject to the following conditions:

(1) That the Town reserve for provision to Fort Pickett, and provide to Fort Pickett on demand, not less than 1,500,000 million gallons per day of treated water from the water distribution system.

(2) That the Town provide water to and distribute water at Fort Pickett at a rate established by the appropriate Federal or State regulatory authority.

(3) That the Town maintain and operate the water distribution system in compliance with all applicable Federal and State environmental laws and regulations (including any permit and license requirements).

(f) **DESCRIPTION OF PROPERTY.**—The exact legal description of the property to be conveyed under subsection (a), of any easements granted under subsection (b), and of any water rights granted under subsection (c) shall be determined by a survey and other means satisfactory to the Secretary. The cost of any survey or other services performed at the direction of the Secretary under the authority in the preceding sentence shall be borne by the Town.

(g) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance authorized under subsection (a), the easements granted under subsection (b), and the water rights granted under subsection (c) that the Secretary considers appropriate to protect the interests of the United States.

Subtitle F—Other Matters

SEC. 2891. AUTHORITY TO USE FUNDS FOR CERTAIN EDUCATIONAL PURPOSES.

Section 2008 of title 10, United States Code, is amended by striking out "section 10" and all that follows through the period at the end and inserting in lieu thereof "construction, as defined in section 8013(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(3)), or to carry out section 8008 of such Act (20 U.S.C. 7708), relating to the provision of assistance to certain school facilities under the impact aid program."

SEC. 2892. DEPARTMENT OF DEFENSE LABORATORY REVITALIZATION DEMONSTRATION PROGRAM.

(a) **PROGRAM AUTHORIZED.**—The Secretary of Defense may carry out a program (to be known as the "Department of Defense Laboratory Revitalization Demonstration Program") for the revitalization of Department of Defense Laboratories. Under the program, the Secretary may carry out minor military construction projects in

accordance with subsection (b) and other applicable law to improve Department of Defense laboratories covered by the program.

(b) **INCREASED MAXIMUM AMOUNTS APPLICABLE TO MINOR CONSTRUCTION PROJECTS.**—For purpose of any military construction project carried out under the program—

(1) the amount provided in the second sentence of subsection (a)(1) of section 2805 of title 10, United States Code, shall be deemed to be \$3,000,000;

(2) the amount provided in subsection (b)(1) of such section shall be deemed to be \$1,500,000; and

(3) the amount provided in subsection (c)(1)(B) of such section shall be deemed to be \$1,000,000.

(c) **PROGRAM REQUIREMENTS.**—(1) Not later than 30 days before commencing the program, the Secretary shall—

(A) designate the Department of Defense laboratories at which construction may be carried out under the program; and

(B) establish procedures for the review and approval of requests from such laboratories to carry out such construction.

(2) The laboratories designated under paragraph (1)(A) may not include Department of Defense laboratories that are contractor owned.

(3) The Secretary shall notify Congress of the laboratories designated under paragraph (1)(A).

(d) **REPORT.**—Not later than February 1, 1998, the Secretary shall submit to Congress a report on the program. The report shall include the Secretary's conclusions and recommendations regarding the desirability of extending the authority set forth in subsection (b) to cover all Department of Defense laboratories.

(e) **EXCLUSIVITY OF PROGRAM.**—Nothing in this section may be construed to limit any other authority provided by law for any military construction project at a Department of Defense laboratory covered by the program.

(f) **DEFINITIONS.**—In this section:

(1) The term "laboratory" includes—

(A) a research, engineering, and development center;

(B) a test and evaluation activity owned, funded, and operated by the Federal Government through the Department of Defense; and

(C) a supporting facility of a laboratory.

(2) The term "supporting facility", with respect to a laboratory, means any building or structure that is used in support of research, development, test, and evaluation at the laboratory.

(g) **EXPIRATION OF AUTHORITY.**—The Secretary may not commence a construction project under the program after September 30, 1998.

SEC. 2893. AUTHORITY FOR PORT AUTHORITY OF STATE OF MISSISSIPPI TO USE NAVY PROPERTY AT NAVAL CONSTRUCTION BATTALION CENTER, GULFPORT, MISSISSIPPI.

(a) **JOINT USE AGREEMENT AUTHORIZED.**—The Secretary of the Navy may enter into an agreement with the Port Authority of the State of Mississippi (in this section referred to as the "Port Authority"), under which the Port Authority may use real property comprising up to 60 acres located at the Naval Construction Battalion

UNITED STATES CODE
TITLE 10 - ARMED FORCES

Subtitle A - General Military Law

PART IV - SERVICE, SUPPLY, AND PROCUREMENT

CHAPTER 169 - MILITARY CONSTRUCTION AND
MILITARY FAMILY HOUSING

SUBCHAPTER I - MILITARY CONSTRUCTION

§ 2805. Unspecified minor construction

- (a)
- (1) Except as provided in paragraph (2), within an amount equal to 125 percent of the amount authorized by law for such purpose, the Secretary concerned may carry out minor military construction projects not otherwise authorized by law. A minor military construction project is military construction project (1) that is for a single undertaking at a military installation, and (2) that has an approved cost equal to or less than \$1,500,000.
- (2) A Secretary may not use more than \$5,000,000 for exercise-related unspecified minor military construction projects coordinated or directed by the Joint Chiefs of Staff outside the United States during any fiscal year.
- (b)
- (1) A minor military construction project costing more than \$500,000 may not be carried out under this section unless approved in advance by the Secretary concerned.
- (2) When a decision is made to carry out a minor military construction project to which paragraph (1) is applicable, the Secretary concerned shall notify in writing the appropriate committees of Congress of that decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the notification is received by the committees.
- (c)
- (1) Except as provided in paragraph (2), the Secretary concerned may spend from appropriations available for operation and maintenance amounts necessary to carry out an unspecified military construction project costing not more than \$300,000.
- (2) The authority provided in paragraph (1) may not be used with respect to any exercise-related unspecified military construction project coordinated or directed by the Joint Chiefs of Staff outside the United States.
- (d) Military family housing projects for construction of new housing units may not be carried out under the authority of this section.